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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN LALOR,

Defendant.

) No. CR 10-0797 WHA

) ~~PROPOSED~~ STIPULATED
) ORDER CONTINUING
) SENTENCING HEARING

) **Current Hearing Date:** June 29,
) 2011 at 2:00 p.m.

) **New Hearing Date:** July 25, 2011 at
) 2:00

13 Change of plea and sentencing in the above-entitled case are currently scheduled for
14 June 29, 2011 at 2:00 p.m.. In this proposed stipulated order, undersigned counsel represents
15 that the Assistant Federal Public Defender assigned to this matter, Jodi Linker, very recently
16 suffered an unexpected death in her immediate family. She is currently on leave.

17 To permit Ms. Linker adequate time to complete the presentence process and submit a
18 sentencing memorandum, the defense respectfully requests that sentencing be continued to
19 Monday, July 25, 2011 at 2:00 p.m.. Undersigned counsel has confirmed with Probation
20 Officer Dickens that he is available on that date. Assistant United States Attorney Martikan is
21 also available on that date, and has no objection to the defense's requested continuance.

22 Therefore, for good cause shown the sentencing hearing now scheduled for June 29,
23 2011 is hereby vacated. The matter shall be added to the Court's calendar on Monday, July
24 25, 2011 at 2:00 p.m. for change of plea and sentencing.

25 Based upon the representation of counsel and for good cause shown, the Court finds that
26 failing to exclude the time from June 21, 2011 to July 25, 2011 would unreasonably deny the

1 defendant and his counsel the reasonable time necessary for effective preparation, taking into
2 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds
3 that the ends of justice served by excluding the time from June 21, 2011 to July 25, 2011
4 from computation under the Speedy Trial Act outweigh the best interests of the public and
5 the defendant in a speedy trial, and that the continuance it necessary to permit continuity of
6 defense counsel. Therefore, IT IS HEREBY ORDERED that the time from June 21, 2011 to
7 July 25, 2011 shall be excluded from computation under the Speedy Trial Act. 18
8 U.S.C. § 3161(h)(7)(A) and (B)(iv).

9 IT IS SO ORDERED.

10 June 23, 2011.

11 DATED



WILLIAM H. ALSUP
United States District Court Judge

13 IT IS SO STIPULATED.

14 June 22, 2011

15 DATED

/s

MELINDA HAAG
United States Attorney
Northern District of California
OWEN MARTIKAN
Assistant United States Attorney

19 June 22, 2011

20 DATED

/s Steven Kalar for Jodi Linker

BARRY J. PORTMAN
Federal Public Defender
Northern District of California
STEVEN G. KALAR
Assistant Federal Public Defender
JODI LINKER
Assistant Federal Public Defender